

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
DIVISION OF JUDGES
NEW YORK BRANCH OFFICE**

**REMINGTON LODGING & HOSPITALITY,
LLC d/b/a HYATT REGENCY WIND-WATCH,
A SINGLE EMPLOYER WITH HHC TRS FP
PORTFOLIO, LLC, A SUBSIDIARY OF
ASHFORD HOSPITALITY TRUST, INC.**

and

**Cases 29-CA-093850
29-CA-095876**

**LOCAL 947, UNITED SERVICE WORKERS
UNION, INTERNATIONAL UNION OF
JOURNEYMEN AND ALLIED TRADES**

**ORDER TO SHOW CAUSE WHY THE GENERAL COUNSEL'S MOTION TO
STRIKE RESPONDENT'S BILL OF PARTICULARS, PORTIONS OF RESPONDENT'S
ANSWER, AND TO PRECLUDE RESPONDENT FROM QUESTIONING
DISCRIMINATEES REGARDING THEIR IMMIGRATION STATUS
SHOULD NOT BE GRANTED**

On September 14, 2018, I issued an order requiring the Respondent to provide the General Counsel with a bill of particulars setting forth additional details of its thirteenth affirmative defense, as plead in its answer to the compliance specification, that “[n]o backpay is due to any discriminatee who was not legally authorized to work in the United States during the relevant period.” On September 21, 2018 the Respondent filed a Response to Order for Bill of Particulars. This response includes a legal argument and supporting evidence why its affirmative defense regarding the immigration status of discriminatees was appropriately plead and the questioning of discriminatees regarding their immigration status should be allowed at hearing. On October 3, 2018, the General Counsel moved to strike the Respondent’s response to my order for a bill of particulars and its thirteenth affirmative defense, and further moved to preclude the Respondent from eliciting or introducing at the compliance proceeding any evidence regarding the discriminatees’ work authorization or immigration status.

If the Respondent desires to submit additional cause as to why the General Counsel’s motion of October 3, 2018 should not be granted, beyond what it has presented in its Response to Order for Bill of Particulars, it is hereby ORDERED to do so by October 15, 2018.

Dated this 10th day of October, 2018
at New York, New York.

S/ Benjamin W. Green
Benjamin W. Green
Administrative Law Judge